

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT  
OF MISSISSIPPI

JAMES ARTHUR SHARKEY

PLAINTIFF

VS.

NO. **4:18-CV-017-DMB-JMV**

HUMPHREYS COUNTY, MISSISSIPPI;  
SHERIFF J.D. ROSEMAN, IN HIS INDIVIDUAL  
AND OFFICIAL CAPACITY AS SHERIFF OF HUMPHREYS  
COUNTY SHERIFF'S DEPARTMENT; AND DEPUTY  
SEAN WILLIAMS, IN HIS INDIVIDUAL AND OFFICIAL  
CAPACITY AS DEPUTY SHERIFF OF HUMPHREYS  
COUNTY SHERIFF'S DEPARTMENT

DEFENDANTS

**COMPLAINT**

**COMES NOW** the Plaintiff, **JAMES ARTHUR SHARKEY**, by and through his attorney, Boyd P. Atkinson, and files this his Complaint against the Defendants, **HUMPHREYS COUNTY, MISSISSIPPI, SHERIFF J.D. ROSEMAN, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY AS SHERIFF OF HUMPHREYS COUNTY SHERIFF'S DEPARTMENT, AND DEPUTY SEAN WILLIAMS, IN HIS INDIVIDUAL AND OFFICIAL CAPACITY AS DEPUTY SHERIFF OF THE HUMPHREYS COUNTY SHERIFF'S DEPARTMENT**, and in support thereof would show unto the Court the following facts, to-wit:

**PARTIES**

1. Plaintiff is an adult resident citizen of Humphreys County, Mississippi.

2. The Defendant, Humphreys County, Mississippi, is a governmental entity of the State of Mississippi and may be served with process through its resident agent for process, Lawrence D. Browder, Chancery Clerk of Humphreys County, Mississippi at 102 Castleman St, Ste 2, Belzoni, Mississippi, 39038.

3. The Defendant, Sheriff J.D. Roseman, is the commissioned sheriff of Humphreys County, Mississippi and may be served with process at 107 South Hayden Street in Belzoni, Mississippi, 39038.

4. The Defendant, Deputy Sean Williams, is a commissioned deputy with the Humphreys County Sheriff's Department and may be served with process at his place of employment, Humphreys County Sheriff's Department, located at 107 South Hayden Street in Belzoni, Mississippi, 39038.

### **JURISDICTION**

5. Jurisdiction of this Court arises under 28 U.S.C., Section 1331 and 1367 and 42 U.S.C., Section 1983.

6. Jurisdiction of this Court for the pendent claims is authorized under Federal Rule of Civil Procedure 18(a).

7. Further, the actions complained of constitute arbitrary governmental action in violation of the Fourth, Fifth, and Fourteenth Amendments to the United States Constitution.

### **FACTS**

8. On February 13, 2015, the Defendant, Deputy Sean Williams, in his official capacity as a deputy sheriff with the Humphreys County Sheriff's Department, responded to a disturbance call at the Plaintiff's mother's home, Cora Reed, located at 100 Beach Street in Belzoni, Mississippi, 39038.

9. The Plaintiff was not charged with domestic violence or resisting arrest but the Defendant, Deputy Sheriff Sean Williams, acting in his official capacity and while under the control of the Defendant, Sheriff J.D. Roseman, chose to escort the Plaintiff into the Plaintiff's bedroom and placed the Plaintiff in custody.

10. While placing the Plaintiff in custody, the Defendant, Deputy Sean Williams, pushed the Plaintiff down onto the bed and told the Plaintiff, "you're going to jail". Thereafter, the Defendant, Deputy Sheriff Sean Williams, put his knee in the Plaintiff's neck and then hit the Plaintiff in his mouth.

11. The actions of the Defendant, Deputy Sean Williams, caused significant injuries to the Plaintiff's neck, which necessitated the Plaintiff in getting extensive orthopedic surgery performed by Dr. Eric W. Amundson at the Baptist Hospital in Jackson, Mississippi.

12. As a direct result from the actions of the Defendant, Deputy Sheriff Sean Williams, the Plaintiff is now drawing full disability and is in constant pain arising out of the injuries that he sustained from the unprovoked, unwarranted, and illegal assault against him by the Defendant, Deputy Sheriff Sean Williams.

**CAUSES OF ACTION**

**COUNT ONE - VIOLATION OF 42 U.S.C. SECTION 1983: ARREST  
AND DETENTION**

13. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

14. As a proximate cause of the Defendant, Sean Williams' reckless disregard for the safety of the Plaintiff, James Arthur Sharkey, the Plaintiff was



deprived of his liberty in violation of his Fifth and Fourteenth Amendment rights and suffered a significant assault at the hands of the Defendant, Deputy Sheriff Sean Williams, by the Defendant, Deputy Sheriff Sean Williams' handcuffing and assaulting the Plaintiff.

**COUNT TWO - INTENTIONAL INFLICTION OF EMOTIONAL  
DISTRESS AND PHYSICAL HARM**

15. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

16. At all times relevant herein, the Defendant, Deputy Sheriff Sean Williams' extreme and outrageous conduct, and reckless disregard for the safety and well being of the Plaintiff, James Arthur Sharkey, caused severe emotional distress, as well as permanent physical injuries to the Plaintiff.

**COUNT THREE - NEGLIGENCE**

17. Plaintiff incorporates and adopts all prior paragraphs, averments, and statements.

18. The Defendants owed the Plaintiff a duty to act in accordance with the standards of accepted police procedure. The Defendant, Deputy Sean Williams, breached said duty by failing to act as a reasonable law enforcement officer would act and acted in reckless disregard for the safety and well being of the Plaintiff, James Arthur Sharkey, causing the significant and permanent injuries to the Plaintiff.

19. The Defendant, Sheriff J.D. Roseman, failed to properly supervise his officer, the Defendant, Deputy Sheriff Sean Williams, one of his uniformed officers and an employee of the Humphreys County Sheriff's Department, and as

a direct and proximate breach of his duty, Plaintiff, James Arthur Sharkey, suffered and continues to suffer pain and anguish, and permanent injuries.

**RELIEF**

**WHEREFORE, PREMISES CONSIDERED**, the Plaintiff demands judgment for the causes of action listed herein for special, punitive, and compensatory damages, plus the costs of this action, including attorney's fees and such other relief that this Court deems just and equitable.

**RESPECTFULLY SUBMITTED** on this the 8th day of February, A.D., 2018.

**JAMES ARTHUR SHARKEY  
PLAINTIFF**

**BY: s/s Boyd P. Atkinson  
MSB #8324  
Attorney for Plaintiff  
P.O. Box 427  
Cleveland, MS 38732  
(662) 843-9766**

**STATE OF MISSISSIPPI  
COUNTY OF BOLIVAR**

**PERSONALLY** appeared before me the undersigned authority at law in and for the jurisdiction aforesaid, the within named, **BOYD P. ATKINSON, Attorney for Plaintiff, JAMES ARTHUR SHARKEY**, who after being by me first duly sworn, states on oath that the matters and facts set out in the above and foregoing Complaint are true and correct as therein stated to the best of his information and belief.

**SWORN TO AND SUBSCRIBED** before me on this the 8th day of February, A.D., 2018.

My Commission Expires:



**NOTARY PUBLIC**